

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

**WILLIE C. ALEXANDER and
BELINDA N. PITMAN,**

Plaintiffs,

V.

Case No.: 2:05-cv-0449-WKW

**CERTEGY CHECK SERVICES,
INC.,**

Defendant.

UNOPPOSED MOTION FOR EXTENSION OF TIME

Comes now Defendant Certegy Check Services, Inc. (“Certegy”), and moves the Court to extend by thirty days the time in which Certegy has to respond to the Plaintiffs’ Motion for Award of Plaintiffs’ Counsel Fees and Expenses from September 22, 2006, to October 23, 2006. As grounds for the motion, Certegy would show the Court that:

1. On September 6, 2006, Certegy filed an Unopposed Motion for an Extension of Time, requesting an additional 14 days to respond to the Plaintiffs' Motion for Award of Plaintiffs' Counsel Fees and Expenses, and informing the Court of the parties efforts to resolve the issue of the award of counsel fees and expenses to the Plaintiffs. (Document 58)
2. On September 7, 2006, the Court entered an Order granting Certegy's Unopposed Motion for an Extension of Time. (Document 59)
3. The parties have reached an agreement in principle as to the issue of the award of counsel fees and expenses to the Plaintiffs, and need the additional time requested in this motion to memorialize this agreement and complete the settlement of this action.

4. Counsel for the parties have conferred and the Plaintiffs do not oppose the requested extension.

5. None of the parties in this action will be prejudiced by the requested extension.

WHEREFORE, Defendant Certegy, moves this court to enter an order extending by thirty days the time in which Certegy has to respond to the Plaintiffs' Motion for Award of Plaintiffs' Counsel Fees and Expenses from September 22, 2006, to October 23, 2006.

Respectfully submitted this 21st day of September, 2006.

/s/ Joseph W. Carlisle

Anne P. Wheeler

Alabama State Bar No.: ASB-7112-R65A

awheeler@jbpp.com

Joseph W. Carlisle

Alabama State Bar No.: ASB-1197-E68C

jcarlisle@jbpp.com

Attorneys for Defendant

Certegy Check Services, Inc.

JOHNSTON BARTON PROCTOR & POWELL LLP

2900 AmSouth/Harbert Plaza

1901 Sixth Avenue North

Birmingham, Alabama 35203

Telephone: 205-458-9400

Facsimile: 205-458-9500

OF COUNSEL

CERTIFICATE OF SERVICE

I hereby certify that I have filed the above and foregoing with the Clerk of the Court, using the CM/ECF system, which will send notification of such filing to the following:

David R. Donaldson
Tammy M. Stokes
Donaldson & Guin, LLC
2 North 20th Street, Suite 1100
Birmingham, AL 35203

Earl P. Underwood, Jr.
21 South Section Street
P.O. Box 969
Fairhope, Alabama 36533

Jim S. Calton, Jr.
Calton & Calton
226 East Broad Street
Eufaula, Alabama 36027

On this, the 21st day of September, 2006.

/s/ Joseph W. Carlisle
OF COUNSEL